

1614

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		Application Number	09/921,479
		Filing Date	08/03/2001
		First Named Inventor	R. Preston Mason
		Group Art Unit	1614
		Examiner Name	JONES, Dwayne C.
Total Number of Pages in This Submission		Attorney Docket Number	12915-1P06

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
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<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
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<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Stephen J. Gaudet Reg. No.: 48,921
Signature	
Date	2-27-04

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Mason, P.)	
)	
Serial No.:	09/921,479)	
)	
Filed:	August 3, 2001)	Art Unit: 1614
)	Examiner: Jones, D. C.
Title:	Synergistic Effect of ...)	
)	
Docket No.:	12915-P06)	
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By:

Stephen J. Gaudet

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In reply to the Restriction Requirement dated February 2, 2004, Applicant files the following response.

Restriction Requirement

The Examiner has restricted the present application into four groups of claims. According to the Examiner, Group I is directed to a method of inhibiting cholesterol crystal formation and includes claims 39-49 and 93; Group II is directed to a method of increasing NO production and includes claims 50-60, 86-92, and 94-97; Group III is directed to a method treating arterial and related heart disease and includes claims 61-70; and Group IV is directed to a method of lowering blood pressure and systemic lipid concentrations and includes claims 72-83.

Applicant elects with traverse Group II, claims 50-60, 86-92, and 94-97 which are directed to a method for increasing NO production.

Applicant asserts that Groups I, II, III, and IV are not distinct inventions and should not be restricted. These groups are related, for example, Groups I, III, and IV are all related through Group IV. Group IV provides the fundamental basis for the practice of the claims recited in the other groups.

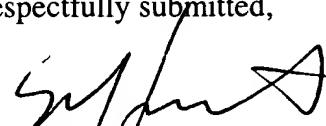
The underlying principle for the practice of Groups I, III, and IV claims certainly lies with Group II. Therefore, Applicant elects (with traverse) Group II for further prosecution. It is Applicant's intent that once Group II is allowed, that the other groups will be allowed upon amendment.

Therefore, claims 39-49, 93, 61-70, and 72-83 are withdrawn without prejudice at this stage of prosecution.

Although no fees are required, please charge any underpayment of fees to or credit any overpayment of fees to Deposit Account No. 50-1078.

The Examiner is invited to call the undersigned attorney at (617) 854-4237 should he determine that a telephonic interview would expedite prosecution of this case.

Respectfully submitted,



Stephen J. Gaudet, Ph.D.
Attorney for Applicant

Date: 2/27/01